

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MARCUS THORNTON, *et al.*,

Plaintiffs,

v.

ANTONY J. BLINKEN, in his official capacity
as Secretary of the U.S. Department of State
and in his individual capacity, *et al.*,

Defendants.

Case No. 1:23-cv-00266 (PTG/IDD)

ORDER

This matter comes before the Court on Individual Capacity Defendants’ and Official Capacity Defendants’ Motions to Dismiss. Dkts. 47, 50. The Court held oral argument on Thursday, November 16, 2023, during which the Court also addressed Plaintiffs’ Motion to Order Briefing and Argument of Class Certification Before Consideration of Motion to Dismiss. Dkt. 55. For the reasons stated from the bench, it is hereby

ORDERED that Plaintiffs' Motion to Order Briefing and Argument of Class Certification Before Consideration of Motion to Dismiss (Dkt. 55) is **DENIED**; and it is further


ORDERED that Individual Capacity Defendants' Motion to Dismiss Plaintiffs' Individual Capacity Claims (Dkt. 47) is **GRANTED** in full. Count Four (violation of the Religious Freedom Restoration Act, 42 U.S.C. §§ 2000bb to 2000bb-4) is **DISMISSED**; and it is further

ORDERED that Official Capacity Defendants’ Motion to Dismiss Plaintiffs’ Second Amended Class Complaint (Dkt. 50) is **GRANTED** in full. Counts One (claims of “regarded as” discrimination, disparate treatment, and failure to accommodate on account of disability under Section 501 of the Rehabilitation Act of 1973, 29 U.S.C. § 791), Two (failure to accommodate

claim on account of religion under Title VII of the Civil Rights Act of 1964 (“Title VII”), 42 U.S.C. § 2000e-16), and Three (disparate treatment discrimination claim on account of religion under Title VII, 42 U.S.C. § 2000e(j)) are **DISMISSED**.

The Clerk is directed to close this civil action.

Entered this 16th day of November, 2023
Alexandria, Virginia


Patricia Tolliver Giles
United States District Judge